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8 dba El Super

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10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 LUCINDA ORTIZ, an Individual,

Case No.: 2:18-cv-01012-JAD-NJK

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15 Plaintiff,

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17 vs.
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19 BODEGA LATINA CORPORATION, d/b/a
20 EL SUPER, a California Corporation;
DOES I-X; and ROE BUSINESS
21 ENTITIES XI-XX, inclusive,

22 Defendants.
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25 **STIPULATION AND ORDER TO EXTEND DISCOVERY PLAN AND DEADLINES**

26 **[FIRST REQUEST]**

27 Plaintiff Lucinda Ortiz, by and through her counsel of record, Jamie H. Corcoran,
28 Esq., of Bernstein & Poisson and Defendant Bodega Latina Corporation, dba El Super,

STIPULATION AND ORDER TO EXTEND DISCOVERY PLAN AND DEADLINES (FIRST REQUEST)

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1 by and through its counsel of record, Bernadette A. Rigo, Esq., and pursuant to Local
2 Rule 26-4, stipulate to modify their discovery plan as follows:

3 1. Plaintiff filed her Complaint on April 30, 2018 in the Eighth Judicial District
4 Court, Case No. A-18-773721-C. This case was removed to the United States District
5 Court on June 4, 2018.

6 2. The parties held their F.R.C.P. 26 conference on June 20, 2018 and filed
7 their Stipulated Discovery Plan and Scheduling Order on June 27, 2018. In this original
8 plan, the parties agreed to the following dates:

9 Last Day to Amend Pleadings: 09/11/2018

10 Expert Disclosure Deadline: 10/11/2018

11 Interim Status Report Deadline: 10/11/2018

12 Rebuttal Expert Disclosure: 11/12/2018

13 Last Day to Amend DPSO: 11/19/2018

14 Discovery Cut-Off: 12/10/2018

15 Dispositive Motions Deadline: 01/09/2019

16 Pre-Trial Order: 02/08/2019

17 The initial discovery plan was signed by United States Magistrate Judge Nancy J.
18 Koppe on June 28, 2018.

19 3. In compliance with Local Rule 26-4, the parties provide the following
20 information regarding the discovery status:

21 (a) Discovery Completed pursuant to Fed. R. Civ. P. 26(a):

22 **Defendants:**

23 Defendant's Initial Disclosure 06/20/2018

24 Defendant's Interrogatories to Plaintiff 06/26/2018

25 Defendant's Request for Production to Plaintiff 06/26/2018

26 Defendant's Request for Admissions to Plaintiff 06/26/2018

27 Defendant's First Supplemental Disclosure 07/19/2018

Plaintiffs:

Plaintiff's Initial Disclosure 06/18/2018

Plaintiff's Request for Production to Defendant 06/29/2018

Plaintiff's Interrogatories to Defendant 06/29/2018

(b) Discovery that remains to be completed:

- Defendant needs to obtain Plaintiff's remaining medical records.
- Defendant needs to schedule an Independent Medical Examination of Plaintiff.
- The parties need to designate experts and rebuttal experts and exchange reports.
- The parties need to conduct the depositions of Plaintiff and Defendant.
- The parties need to conduct the depositions of Plaintiff's experts and Defendant's experts.

(c) Reasons why discovery was not completed:

It took longer than expected to obtain all of Plaintiff's medical records and defendant is still awaiting receipt of requested medical records and imaging studies from the radiologists and medical providers. Defendant has received approximately 45% of the records it requested. As a result of the delay in receiving the medical records, Plaintiff's deposition is not being scheduled until September 2018, which the parties believe is not sufficient time to consult with and potentially retain experts by the current initial expert disclosure date of October 11, 2018.

The parties propose a 90-day extension to complete the remaining discovery. Those dates will be:

Last Day to Amend Pleadings: 12/10/2018

Expert Disclosure Deadline: 01/09/2019

Interim Status Report Deadline: 01/09/2019

Rebuttal Expert Disclosure: 02/08/2019

Last Day to Amend DPSO: ~~02/15/2019~~ 21 days before expiration of the subject deadline.

